R E M A R K S

Reconsideration of this application, as amended, is respectfully requested.

THE CLAIMS

Claims 1-3 and 7-12 have been amended to clarify that the light transmittance is of the absorbent article itself, and that the light transmittance is in the thickness direction of the absorbent article, as supported by the disclosure in the specification at, for example, page 17, lines 10-17 and 22-26.

No new matter has been added, and it is respectfully requested that the amendments to the claims be approved and entered.

THE PRIOR ART REJECTION

Claims 1-12 were rejected under 35 USC 102 as being anticipated by US 2001/0044611 ("Noda et al"). This rejection, however, is respectfully traversed with respect to the claims as amended hereinabove.

According to each of amended independent claims 1, 2 and 3, the light transmittance of the absorbent article itself is at least 15% in the thickness direction. With this structure, the discrimination inspection (to discriminate between acceptable and

unacceptable products) can be performed appropriately. See page 17, lines 2-5.

It is respectfully submitted that Noda et al does not disclose, teach or suggest this structure recited in amended independent claims 1, 2 and 3. Indeed, Noda et al does not disclose anything about the light transmittance of the absorbent article itself in the thickness direction (for inspection to discriminate between acceptable and unacceptable products). Noda et al in fact merely discloses a light transmittance of certain layers of a backsheet of a disposable diaper.

According to amended independent claim 1, the back sheet includes a colored area, and the absorbent article itself at the colored area has a light transmittance that allows light outputted from an optical sensor to be transmitted therethrough in a thickness direction, wherein the light transmittance of the absorbent article itself at the colored area is at least 15% in the thickness direction. According to amended independent claim 2, the back sheet includes a colored area and a non-colored area, and an inspection portion which transmits light outputted from an optical sensor for inspection is provided in the non-colored area, wherein a light transmittance of the absorbent article itself at the inspection portion is at least 15% in a thickness direction. And acccording to amended independent claim 3, the back sheet includes a colored area, the colored area

includes an inspection portion at which inspection with an optical sensor is performed, and the absorbent article itself at the inspection portion has a light transmittance that allows light outputted from the optical sensor to be transmitted therethrough in a thickness direction, wherein the light transmittance of the absorbent article itself at the inspection portion is at least 15% in the thickness direction.

By contrast, Noda et al discloses a disposable diaper 1 having a liquid-impermeable backsheet 3. According to Noda et al, the backsheet 3 includes a breathable film 3a, a first nonwoven material 3b, and a second nonwoven material 3c. The nonwoven materials 3b and 3c are stacked on the permeable film 3a. See paragraph [0018] and Fig. 2(b).

Noda et al discloses that a pattern 10 is printed on the breathable film 3a. The pattern is viewable through the nonwoven materials 3b and 3c. See paragraphs [0025]-[0027] and Fig. 1.

In order to make the pattern 10 clearly viewable even through the nonwoven materials 3b and 3c, the light transmittance of the nonwoven materials 3b and 3c must be sufficiently high. Noda et al discloses that the total luminous transmittance of the two nonwoven materials 3b and 3c should be 40 to 83%. See paragraph [0031].

Thus, Noda et al merely discloses light transmittance values for two of the three layers of the backsheet 3. And Noda et al

does not disclose, teach or suggest light transmittance values for the absorbent article itself (including a back sheet, a top sheet, and an absorbent body).

Accordingly, it is respectfully submitted that Noda et al clearly does not disclose or suggest the structure of the present invention as recited in amended independent claims 1, 2 and 3 whereby the light transmittance of the absorbent article itself is at least 15% in the thickness direction. And it is respectfully submitted that Noda et al does not even suggest an appropriate light transmittance value for an absorbent article itself to facilitate discriminating acceptable articles from unacceptable articles.

In view of the foregoing, it is respectfully submitted that the present invention as recited in amended independent claims 1, 2 and 3 and all of the claims respectively depending therefrom clearly patentably distinguishes over Noda et al under 35 USC 102 as well as under 35 USC 103.

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Entry of this Amendment, allowance of the claims and the passing of this application to issue are respectfully solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,

/Douglas Holtz/

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